



PATENT  
Atty. Dkt. BENI/0022.P1

1635

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Michael Wayne Graham  
§  
Serial No.: 09/646,807  
§  
Confirmation No.: 1584  
§  
Filed: December 5, 2000  
§  
For: CONTROL OF GENE  
EXPRESSION  
§  
Group Art Unit: 1635  
§  
Examiner: Sean McGarry

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**37 CFR 1.8**

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January 23, 2006 Kris L. Zehs

Date Signature

## **SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

The Applicant, and the Attorney who signs below on the basis of the information supplied by the inventor and the information in his file, submit herewith patents, publications, or other information of which they are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

While the information submitted in this Supplemental Information Disclosure Statement may be material pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication, or other information referred to therein is prior art for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97, this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other possibly material information as defined under 37 CFR § 1.56(a) exists.

The patents and/or publications submitted herewith are set forth on the attached Form PTO-1449.

Applicant certifies that all references submitted with this disclosure were first cited in a communication from a foreign patent office dated October 24, 2005, which communication is enclosed, not more than three months prior to the filing of this Supplemental Information Disclosure Statement.

If the sum of \$180.00 is due under 37 CFR § 1.17(p) pursuant to § 1.97, the Commissioner is hereby authorized to charge this fee, and any other fee necessary to make this submission timely, to the Deposit Account No. 20-0782/BENI/0022.P1/KMT.

Respectfully submitted,



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PTO/SB/08a (07-05)

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## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

1

of 1

**Complete if Known**

Application Number	09/646,807
Filing Date	December 5, 2000
First Named Inventor	Michael W. Graham
Art Unit	1635
Examiner Name	Sean McGarry
Attorney Docket Number	BENI/0022.P1

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials *	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	C1	Stam et al. (1997) "Post-transcriptional silencing of chalcone synthase in <i>Petunia</i> by inverted transgene repeats" The Plant Journal 12(1): 63-82	
	C2	Australian Written Opinion for SG200205122-5, dated October 24, 2005 (BENI/0022.SG)	

Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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